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Amending Article 3 of Chapter 89, Colorado Revised Statutes 1963, as Amended, Concerning Metropolitan Districts.

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CHAPTER 225

LOCAL IMPROVEMENT AND SERVICE DISTRICTS

METROPOLITAN DISTRICTS (1947 ACT)

(House Bill No. 1280. By Representatives Byerly, Grimshaw, and Sack; also Senators Schieffelin and Massart.)

A N A C T

AMENDING ARTICLE 3 OF CHAPTER 89, COLORADO REVISED STATUTES 1963, AS AMENDED, CONCERNING METROPOLITAN DISTRICTS.

Be it enacted by the General Assembly of the State of Colorado:

Section 1. 89-3-2 (1) and (2), Colorado Revised Statutes 1963, are amended to read:

89-3-2. Definitions.—(1) A water district is one to supply water for FIRE, domestic, AND OTHER PUBLIC AND PRIVATE purposes by any available means, AND TO PROVIDE ALL NECESSARY OR PROPER EQUIPMENT AND APPURTENANCES INCIDENT THERETO.

(2) A sanitation district is one to provide for ~~sewage disposal and sanitation~~ STORM OR SANITARY SEWERS, OR BOTH, FLOOD AND SURFACE DRAINAGE, DISPOSAL WORKS AND FACILITIES, AND ALL NECESSARY OR PROPER EQUIPMENT AND APPURTENANCES INCIDENT THERETO.

Section 2. 89-3-2 (6), Colorado Revised Statutes 1963 (1965 Supp.), is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

89-3-2. Definitions.—(6) A metropolitan district is a district empowered under the provisions of this article to secure for the inhabitants thereof any two or more of the purposes for which districts under this article may be formed.

Section 3. 89-3-2 (7) (c), Colorado Revised Statutes 1963, is amended to read:

89-3-2. Definitions.—(7) (c) A street improvement district, which is one to provide for the construction and installation of curbs, gutters, CULVERTS AND OTHER DRAINAGE FACILITIES, sidewalks, BRIDGES, paving, lighting, grading, and other street improvements;

Section 4. 89-3-2 (7), Colorado Revised Statutes 1963, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

89-3-2. Definitions.—(7) (e) A public park district, which is one to establish and maintain public parks with recreation facilities located thereon.

Section 5. 89-3-2 (9), Colorado Revised Statutes 1963, is amended to read:

89-3-2. Definitions.—(9) The phrase "taxpaying elector of the district", as used in this article, is a person, RESIDENT OR NONRESIDENT OF THE DISTRICT, qualified to vote in the general elections of this state and who has paid a tax in the twelve months preceding a designated time or event on real or personal property owned by him, within the district, excluding motor vehicles.

Section 6. 89-3-5 (1) (a), Colorado Revised Statutes 1963, is amended to read:

89-3-5. Petition.—(1) (a) The organization of a district shall be initiated by petition filed in the office of the clerk of the court vested with jurisdiction in a county in which all or part of the real property of the proposed district is situated. The petition shall be signed by not less than TEN PER CENT OR one hundred of the taxpaying electors of the district who were registered and qualified to vote at the last general election, WHICH-EVER NUMBER IS THE SMALLER. The petition shall set forth:

Section 7. 89-3-14 (5), Colorado Revised Statutes 1963, is amended to read:

89-3-14. General powers.—(5) To borrow money and incur indebtedness and evidence the same by certificates, notes, or debentures, and to issue bonds, in accordance with the provisions of AS PROVIDED IN sections 89-5-23 to 89-5-27, TO CARRY OUT ANY OF THE PURPOSES AND PROVISIONS OF THIS ARTICLE.

Section 8. Article 3 of chapter 89, Colorado Revised Statutes 1963, as amended, is amended BY THE ADDITION OF NEW SECTIONS to read:

89-3-34. Validation of district action.—The establishment and maintenance and continued operation of free public libraries and public parks prior to the effective date of this section by any district organized pursuant to the provisions of this article are hereby expressly validated.

89-3-35. Validation of 89-3-15 (6)—conversions.—The incorporation, under the provisions of article 5 of chapter 89, C.R.S. 1963, as amended, of a water and sanitation district, and the subsequent conversion of such district pursuant to section 89-3-15 (6), is hereby validated and confirmed. Any bonds issued or authorized by a water and sanitation district converted to a metropolitan district pursuant to section 89-3-15 (6) are validated, regardless of whether said bonds were or are hereafter issued and authorized under article 3 or article 5 of this chapter.

Section 9. Severability clause.—If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Section 10. Safety clause.—The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: July 9, 1969